

92-471, title I, §101, 86 Stat. 784, related to cooperation with other agencies.

Section 1027, acts Aug. 12, 1954, ch. 669, §9, formerly §8, 68 Stat. 699; renumbered §9 and amended Oct. 9, 1972, Pub. L. 92-471, title I, §§102, 103, 107, 86 Stat. 784, 786; July 28, 1978, Pub. L. 95-326, §1(6), 92 Stat. 400, related to enforcement of this chapter.

#### § 1028. Transferred

##### CODIFICATION

Section, act Aug. 12, 1954, ch. 669, §9, 68 Stat. 699, was redesignated as subsec. (f) of section 9 of act Aug. 12, 1954, ch. 669, by Pub. L. 92-471, title I, §102(1), Oct. 9, 1972, 86 Stat. 784, and transferred to section 1027(f) of this title.

#### §§ 1029, 1030. Repealed. Pub. L. 102-567, title VIII, § 814, Oct. 29, 1992, 106 Stat. 4316, and Pub. L. 102-587, title VIII, § 8014, Nov. 4, 1992, 106 Stat. 5106

Section 1029, acts Aug. 12, 1954, ch. 669, §10, 68 Stat. 699; Oct. 9, 1972, Pub. L. 92-471, title I, §104, 86 Stat. 784; July 28, 1978, Pub. L. 95-326, §1(7), 92 Stat. 402, related to unlawful activities.

Section 1030, acts Aug. 12, 1954, ch. 669, §11, 68 Stat. 700; Oct. 9, 1972, Pub. L. 92-471, title I, §105, 86 Stat. 785; July 28, 1978, Pub. L. 95-326, §1(8), 92 Stat. 402; Oct. 30, 1978, Pub. L. 95-553, §1(1), 92 Stat. 2072, related to penalties.

#### § 1031. Repealed. Pub. L. 95-326, § 1(9), July 28, 1978, 92 Stat. 404

Section, acts Aug. 12, 1954, ch. 669, §12, 68 Stat. 700; July 24, 1957, Pub. L. 85-114, 71 Stat. 310; Oct. 9, 1972, Pub. L. 92-471, title I, §106, 86 Stat. 785, set forth provisions relating to powers and authorities of enforcement officers.

##### EFFECTIVE DATE OF REPEAL

Repeal effective July 28, 1978, see section 2 of Pub. L. 95-326, set out as an Effective Date of 1978 Amendment note under section 1021 of this title.

#### §§ 1032 to 1035. Repealed. Pub. L. 102-567, title VIII, § 814, Oct. 29, 1992, 106 Stat. 4316, and Pub. L. 102-587, title VIII, § 8014, Nov. 4, 1992, 106 Stat. 5106

Section 1032, acts Aug. 12, 1954, ch. 669, §12, formerly §13, 68 Stat. 701; Oct. 9, 1972, Pub. L. 92-471, title I, §§107(c), 108(d), 86 Stat. 786, 787; renumbered §12 and amended July 28, 1978, Pub. L. 95-326, §1(9), (10), 92 Stat. 404, related to funding requirements.

Section 1033, act Aug. 12, 1954, ch. 669, §13, as added July 28, 1978, Pub. L. 95-326, §1(12), 92 Stat. 404, related to registration permits for Canadian or Japanese fishing vessels in fishery conservation zone.

Section 1034, act Aug. 12, 1954, ch. 669, §14, as added July 28, 1978, Pub. L. 95-326, §1(12), 92 Stat. 405; amended Oct. 30, 1978, Pub. L. 95-553, §1(2), 92 Stat. 2072; Dec. 29, 1982, Pub. L. 97-389, title II, §201, 96 Stat. 1949, related to protection of marine mammals.

Section 1035, act Aug. 12, 1954, ch. 669, §15, as added July 28, 1978, Pub. L. 95-326, §1(12), 92 Stat. 406, related to provisional administrative authorization.

### CHAPTER 20—NATIONAL FISHERIES CENTER AND AQUARIUM

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Sec.

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#### § 1051. Authorization of Administrator of General Services

##### (a) Planning, construction, and maintenance of Center and Aquarium

The Administrator of General Services (hereinafter referred to as the "Administrator") is authorized to plan, construct, and maintain a National Fisheries Center and Aquarium in the District of Columbia or its vicinity for research in fisheries and for the display of fresh water and marine fishes and other aquatic resources for educational, recreational, cultural, and scientific purposes.

##### (b) Use, purchase, lease, etc. of Federal lands

The Administrator is further authorized to use Federal land and property for purposes of this chapter with the consent of the particular agency having administrative jurisdiction thereover, and, if said property is unavailable for purposes hereof, he may purchase, lease, or otherwise acquire such lands, waters, and interests therein, as he may deem necessary to carry out the provisions of subsection (a) of this section.

(Pub. L. 87-758, §1, Oct. 9, 1962, 76 Stat. 752.)

#### § 1052. Authorization of Secretary of the Interior

##### (a) Operation of Center and Aquarium

The Secretary of the Interior (hereinafter referred to as the "Secretary") shall operate the National Fisheries Center and Aquarium.

##### (b) Specimens and exhibits; catalogs and other printed matter and films, animations and photographic and other material; employment of experts, consultants, and organizations; use of auditorium and other areas; use of facilities by foreigners

The Secretary is further authorized to—

(1) construct, purchase or lease, and operate and maintain vessels for specimen collecting purposes and, without regard to section 5 of title 41, to contract for such collection of specimens and to purchase or exchange specimens and exhibit materials;

(2) prepare for free distribution or exhibit or to offer for sale at cost illustrated catalogs of specimens, brochures, and other printed matter and films, animations and photographic

and other material pertaining to the National Fisheries Center and Aquarium and its objectives and to aquariums generally, all or any of which may be reproduced by any printing or other process without regard to existing regulations, the proceeds of sales to be covered into the United States Treasury;

(3) employ, as authorized by section 3109 of title 5, but at rates not to exceed \$50 per diem plus expenses, experts, consultants, or organizations thereof, as required to assist with the planning, design, construction, and operation of the National Fisheries Center and Aquarium;

(4) permit on such terms and conditions as he shall consider to be in the public interest the use of auditorium and other areas for meetings and exhibits of societies and groups whose purposes are related to fish and wildlife generally; and

(5) encourage the use of the educational and scientific facilities and equipment at the National Fisheries Center and Aquarium by individuals of any nation with which the United States maintains diplomatic relations and which extends similar use of its educational and scientific facilities and equipment to citizens of the United States.

(Pub. L. 87-758, § 2, Oct. 9, 1962, 76 Stat. 752.)

#### CODIFICATION

In subsec. (b)(3), “section 3109 of title 5” substituted for “section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a)” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

### § 1053. Delegation of responsibility for operation

The Secretary shall assign the responsibility for the operation of the National Fisheries Center and Aquarium and related activities to that branch of the United States Fish and Wildlife Service having as its major activity the rearing and holding of living fishes, including the operation of aquariums.

(Pub. L. 87-758, § 3, Oct. 9, 1962, 76 Stat. 753; Pub. L. 93-271, § 1(3), Apr. 22, 1974, 88 Stat. 92.)

#### CHANGE OF NAME

“United States Fish and Wildlife Service” substituted in text for “Bureau of Sport Fisheries and Wildlife” on authority of Pub. L. 93-271, § 1(3), which is classified to section 742b(c) of this title.

### § 1054. Advisory Board; establishment; meetings; functions; quorum; executive secretary

There is established a nonpartisan Advisory Board to be known as the National Fisheries Center and Aquarium Advisory Board. The Advisory Board shall meet from time to time on the call of the Chairman. The functions of the Board shall be to render advice and to submit recommendations to the Secretary of the Interior upon his request, or upon its own initiative, concerning the management and operation of the National Fisheries Center and Aquarium. Five members shall constitute a quorum to transact business. The Secretary may designate an employee of the Department to serve as Executive Secretary to the Board.

(Pub. L. 87-758, § 4, Oct. 9, 1962, 76 Stat. 753.)

#### TERMINATION OF ADVISORY BOARDS

Advisory boards in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Officers and Employees.

### § 1055. Members of Advisory Board

#### (a) Appointment and number of members

The Advisory Board shall be composed of nine members. The Secretary shall designate the Chairman of the Advisory Board. The Assistant Secretary of the Interior for Fish and Wildlife shall be a member of such Board ex officio. The remaining eight members of such Board shall be appointed as follows—

(1) two Members of the Senate, appointed by the President of the Senate;

(2) two Members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(3) two individuals appointed by the Secretary, one of whom shall be engaged in or closely associated with, sport fishing, and one of whom shall be engaged in, or closely associated with, commercial fishing; and

(4) two individuals appointed by the Secretary from the public at large.

#### (b) Terms of office

Each class of two members of the Advisory Board referred to in subsection (a) of this section shall be appointed for terms of four years, except that, of each such class of two members initially appointed, one shall be appointed for a term of two years. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Of each class of two members of such Board referred to in paragraphs (1) and (2) of subsection (a) of this section, not more than one shall be from the same political party, and not more than one shall be from the same State. Any member of such Board referred to in such paragraphs (1) and (2) who shall cease to be a Member of Congress during the term of his appointment under this section shall cease to be a member of such Board.

#### (c) Vacancies

Any vacancy in the Advisory Board shall be filled in the same manner as in the case of the original appointment.

(Pub. L. 87-758, § 5, Oct. 9, 1962, 76 Stat. 753.)

#### TERMINATION OF ADVISORY BOARDS

Advisory boards in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections

3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Officers and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1056 of this title.

### § 1056. Compensation of Advisory Board

Members of the Advisory Board, other than members appointed under paragraphs (3) and (4) of subsection (a) of section 1055 of this title, shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Board. Members of the Board appointed under paragraphs (3) and (4) of subsection (a) of section 1055 of this title may each receive \$50 per diem when engaged in the actual performance of duties vested in the Board, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

(Pub. L. 87-758, § 6, Oct. 9, 1962, 76 Stat. 754.)

#### TERMINATION OF ADVISORY BOARDS

Advisory boards in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a board established by the President or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Officers and Employees.

### § 1057. Preparation of annual report by Director

The Director of the National Fisheries Center and Aquarium shall prepare for the Advisory Board an annual report for presentation to the Secretary of the Interior and to the Congress.

(Pub. L. 87-758, § 7, Oct. 9, 1962, 76 Stat. 754.)

### § 1058. Limitation on appropriations and expenditures; charges for visitation and use

Funds appropriated and expended hereunder for construction of the buildings for the National Fisheries Center and Aquarium shall not exceed \$10,000,000: *Provided*, That the expenditure of such funds shall be made subject to the condition that the Secretary of the Interior shall establish charges relating to visitation to and uses of the National Fisheries Center and Aquarium at such rates as in the Secretary's judgment will produce revenues to (a) liquidate the costs of construction within a period of not to exceed thirty years and (b) pay for the annual operation and maintenance costs thereof.

(Pub. L. 87-758, § 8, Oct. 9, 1962, 76 Stat. 754.)

## CHAPTER 21—PROHIBITION OF FOREIGN FISHING VESSELS IN THE TERRITORIAL WATERS OF THE UNITED STATES

### §§ 1081 to 1086. Repealed. Pub. L. 94-265, title IV, § 402(b), Apr. 13, 1976, 90 Stat. 360

Section 1081, Pub. L. 88-308, § 1, May 20, 1964, 78 Stat. 194; Pub. L. 90-427, July 26, 1968, 82 Stat. 445; 1970 Reorg.

Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, dealt with prohibition against foreign fishing within the territorial waters of the United States and conditions under which exceptions to prohibition will be recognized. See sections 1821 to 1825 of this title.

Section 1082, Pub. L. 88-308, § 2, May 20, 1964, 78 Stat. 195; Pub. L. 91-514, § 1, Oct. 27, 1970, 84 Stat. 1296, covered violations and penalties, seizure, forfeiture, and condemnation of property belonging to anyone violating the provisions relating to the territorial waters of the United States. See sections 1857 to 1860 of this title.

Section 1083, Pub. L. 88-308, § 3, May 20, 1964, 78 Stat. 195; Pub. L. 90-578, title IV, § 402, Oct. 17, 1968, 82 Stat. 1118; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 91-514, § 2, Oct. 27, 1970, 84 Stat. 1297, related to enforcement responsibilities and joint responsibility of the Secretaries of Commerce, Treasury, and the department in which the Coast Guard is operating. See section 1861 of this title.

Section 1084, Pub. L. 88-308, § 4, May 20, 1964, 78 Stat. 196; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, covered authority of Secretaries of Commerce and Treasury to jointly or severally issue regulations under this chapter.

Section 1085, Pub. L. 88-308, § 5, May 20, 1964, 78 Stat. 196; Pub. L. 93-242, § 15, Jan. 2, 1974, 87 Stat. 1068, covered definitions of "Continental Shelf fishery resource", "fisheries", "Continental Shelf", and authorized Secretary of Commerce to enlarge list of covered organisms. See section 1802 of this title.

Section 1086, Pub. L. 88-308, § 6, as added Pub. L. 91-514, § 3, Oct. 27, 1970, 84 Stat. 1297, authorized Secretary of Treasury to pay up to \$5,000 to an informer for original information concerning violations under this chapter.

#### EFFECTIVE DATE OF REPEAL

Section 402(b) of Pub. L. 94-265 provided that repeal of sections 1081 to 1086 of this title is effective Mar. 1, 1977.

## CHAPTER 21A—FISHERIES ZONE CONTIGUOUS TO TERRITORIAL SEA OF THE UNITED STATES

### §§ 1091 to 1094. Repealed. Pub. L. 94-265, title IV, § 402(a), Apr. 13, 1976, 90 Stat. 360

Sections, Pub. L. 89-658, §§ 1-4, Oct. 14, 1966, 80 Stat. 908, set out provisions authorizing the establishment of a fishery zone contiguous to the territorial sea of the United States. See section 1801 et seq. of this title.

#### EFFECTIVE DATE OF REPEAL

Section 402(a) of Pub. L. 94-265 provided that repeal of sections 1091 to 1094 of this title is effective Mar. 1, 1977.

## CHAPTER 21B—PROHIBITION OF CERTAIN FOREIGN FISHING VESSELS IN UNITED STATES FISHERIES

### §§ 1100 to 1100a-3. Omitted

#### CODIFICATION

Sections 1100 to 1100a-3 were omitted pursuant to section 1100 which prohibited certain activities during the five-year period beginning on Oct. 27, 1972.

Section 1100, Pub. L. 92-601, § 1, Oct. 27, 1972, 86 Stat. 1327, provided that during the five-year period beginning on October 27, 1972, it shall be unlawful for any person on board any prohibited vessel to transfer at sea or cause to be transferred at sea any prohibited fish; or to land or cause to be landed any prohibited fish in any port of the United States.

Section 1100a, Pub. L. 92-601, § 2, Oct. 27, 1972, 86 Stat. 1327, prescribed penalties for violations of this chapter.

Section 1100a-1, Pub. L. 92-601, § 3, Oct. 27, 1972, 86 Stat. 1327, provided for enforcement of this chapter.

Section 1100a-2, Pub. L. 92-601, § 4, Oct. 27, 1972, 86 Stat. 1328, authorized the issuance of regulations to implement this chapter.